



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

TO: Director, Reference Information Center
Chief, Media Bureau

FROM: *DMA* Daniel M. Armstrong
Associate General Counsel

SUBJECT: *American Library Association, et al. v. FCC & USA*, No. 04-1037. Filing of a joint Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

DATE: February 9, 2004

This is to advise you that, on January 30, 2004, the American Library Association, Association of Research Libraries, American Association of Law Libraries, Medical Library Association, Special Libraries Association, Consumer Federation of America, Consumers Union, the Electronic Frontier Foundation and Public Knowledge filed a joint petition for review in the U.S. Court of Appeals for the D.C. Circuit, pursuant to 47 U.S.C. 402(a), of the following order: *Digital Broadcast Content Protection*, Report and Order and Further Notice of Proposed Rulemaking, MB Docket No. 02-230, FCC 03-273 (rel. Nov. 4, 2003).

Petitioners challenge the above-referenced FCC order adopting a "broadcast flag" rule that is applicable to products that are capable of receiving digital television signals over-the-air. Broadcast flag technology signals consumer electronic devices that certain content is protected and bars some uses of the content, such as internet redistribution.

The Court has docketed this case as No. 04-1037. The attorney assigned to handle the litigation of this case is C. Grey Pash, Jr.